



4910-06-P

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Railroad Administration**

#### **Proposed Agency Information Collection Activities; Comment Request**

**[Docket No. FRA-2014-0011-N-17]**

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 and its implementing regulations, the Federal Railroad Administration (FRA) hereby announces that it is seeking renewal of the following currently approved information collection activities. Before submitting the information collection requests (ICRs) below for clearance by the Office of Management and Budget (OMB), FRA is soliciting public comment on specific aspects of the activities identified below.

**DATES:** Comments must be received no later than [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Submit written comments on any or all of the following proposed activities by mail to either: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Ave., SE, Mail Stop 17, Washington, DC 20590, or Ms. Kimberly Toone, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., SE, Mail Stop 35, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, “Comments on OMB control number \_\_\_\_\_.” Alternatively, comments may be

transmitted via facsimile to (202) 493-6216 or (202) 493-6497, or via e-mail to Mr. Brogan at Robert.Brogan@dot.gov, or to Ms. Toone at Kim.Toone@dot.gov. Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Ave., SE, Mail Stop 17, Washington, DC 20590 (telephone: (202) 493-6292) or Ms. Kimberly Toone, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., SE, Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6132). (These telephone numbers are not toll-free.)

**SUPPLEMENTARY INFORMATION:**

The Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, sec. 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days notice to the public for comment on information collection activities before seeking approval for reinstatement or renewal by OMB. 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA invites interested respondents to comment on the following summary of proposed information collection activities regarding (i) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (ii) the accuracy of

FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses). See 44 U.S.C. 3506(c)(2)(A)(i)-(iv); 5 CFR 1320.8(d)(1)(i)-(iv). FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated by Federal regulations. In summary, FRA reasons that comments received will advance three objectives: (i) reduce reporting burdens; (ii) ensure that it organizes information collection requirements in a "user friendly" format to improve the use of such information; and (iii) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

Below is a brief summary of currently approved information collection activities that FRA will submit for clearance by OMB as required under the PRA:

Title: Identification of Cars Moved in Accordance with Order 13528

*OMB Control Number:* 2130-0506

*Abstract:* This collection of information identifies a freight car being moved within the scope of Order 13528 (now codified at under 49 CFR 232.3). Otherwise, an exception will be taken, and the car will be set out of the train and not delivered. The information that must be recorded is specified at 49 CFR 232.3(d)(3), which requires that a car be properly identified by a card attached to each side of the car and signed stating that such

movement is being made under authority of the Order. Section 232.2(d)(3) does not require retaining cards or tags. When a car bearing a tag for movement under this provision arrives at its destination, the tags are simply removed. This requirement/record comes into play only when a railroad finds it necessary to move equipment as specified above. FRA estimates that approximately 400 cars per year are moved under this Order.

*Form Number(s):* N/A

*Affected Public:* Businesses

*Respondent Universe:* 718 railroads

*Frequency of Submission:* On occasion

*Reporting Burden:*

CFR Section	Respondent Universe	Total Annual Responses	Average Time per Response	Total Annual Burden Hours
232.3(d) – Cars moved in Accordance with Emergency Order 13528 -- Tagging	718 railroads	800 tags	5 minutes	67 hours

*Total Estimated Responses:* 800

*Total Estimated Annual Burden:* 67 hours

*Status:* Extension of a Currently Approved Collection

*Title:* U.S. Locational Requirement for Dispatching U.S. Rail Operations

*OMB Control Number:* 2130-0556

*Abstract:* Part 241 requires, in the absence of a waiver, that all dispatching of railroad operations

that occurs in the United States be performed in this country, with a minor exception. A railroad

is allowed to conduct extraterritorial dispatching from Mexico or Canada in emergency situations, but only for the duration of the emergency. A railroad relying on the

exception must

provide written notification of its action to the FRA Regional Administrator of each FRA region

in which the railroad operation occurs; such notification is not required before addressing the

emergency situation. The information collected under this rule will be used as part of FRA's

oversight function to ensure that extraterritorial dispatchers comply with applicable safety regulations.

*Form Number(s):* N/A

*Affected Public:* Businesses

*Respondent Universe:* 4 Railroads

*Frequency of Submission:* On occasion

Reporting Burden:

CFR Section	Respondent Universe	Total Annual Responses	Average Time per Response	Total Annual Burden Hours
241.9 – Written Notification to FRA Regional Administrator of Emergency Where Dispatcher Outside the U.S. dispatches a Railroad Operation in the U.S. for Duration of Emergency	4 Railroads	1 Notice	8 hours	8 hours

*Total Responses:* 1

*Total Estimated Total Annual Burden:* 8 hours

*Status:* Extension of a Currently Approved Collection

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA

informs all interested parties that it may not conduct or sponsor, and a respondent is not

required to respond to, a collection of information unless it displays a currently valid  
OMB control number.

**Authority:** 44 U.S.C. 3501-3520.

Rebecca Pennington,  
Chief Financial Officer.

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